

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RECEIVED

2008 JUN 30 A 10:53

MARK ALAN BYRD, 142221,
Plaintiff,

DEBRA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

V.

2:08-CV-244-MHT

WARDEN K. JONES, et al.,
Defendants.

MOTION FOR APPOINTMENT OF COUNSEL

Comes now the plaintiff, pro se, and hereby moves this Honorable Court to appoint counsel to represent him throughout the remainder of these proceedings and in support thereof would show the following:

- 1) Plaintiff is a pro se litigant filing in forma pauperis and cannot afford an attorney.
- 2) The proceedings are at a critical stage and require an understanding of the law that is beyond plaintiff's resources to understand properly and beyond his retained knowledge.
- 3) It is important that the claim be properly

presented and plaintiff has inadequate means to obtain important discoverable information, in part, due to inadequate financial resources. He is struggling to borrow stamps to mail what has been submitted thus far. He has no help from anyone on the outside.

4) It is in the plaintiff's best interest to have counsel represent him to properly and adequately present the claims and protect plaintiff's rights.

WHEREFORE, premises considered, the plaintiff moves this Honorable Court for appointment of Counsel to represent him.

Done this 17th day of June, 2008.

Respectfully Submitted,

Mark A. Byrd 142221
Mark A. Byrd 142221
Plaintiff, pro se

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of June, 2008, I did serve a copy of the listed documents on the attorney for defendants to include the following:

- 1) Motion To Compel Defendants To Comply With Court Order
- 2) Motion For Appointment of Counsel
- 3) Response to Defendant's Answer
- 4) Affidavit A
- 5) Affidavit B
- 6) Affidavit C
- 7) Affidavit of Jody Ponder
- 8) Affidavit of John Duncan
- 9) Affidavit of Timothy Mock

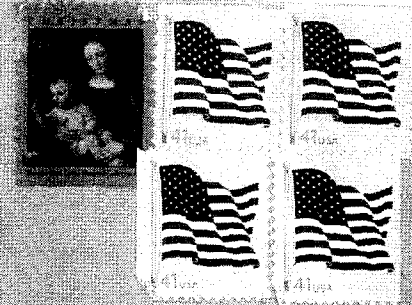
with first-class postage prepaid and properly addressed as follows:

Bettie Carmack
Asst. Attorney General
Civil Division
11 South Union St.
Montgomery, AL 36130

James A. Hoover
420 N. 20th Street, Suite 3400
Birmingham, AL 35203

Mark A. Byrd 142221
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